

CITY COUNCIL
COMMUNITY PLANNING AND TRANSPORTATION
COMMITTEE MINUTES

June 27, 2012

The City Council Community Planning and Transportation Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 5:36 p.m. in the Multi-Purpose Room on the 27th day of June, 2012, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Kovach, Lockett, and Chairman Dillingham

ABSENT: Councilmember Gallagher

OTHERS PRESENT: Mayor Cindy Rosenthal
Councilmember Dave Spaulding, Ward Five
Ms. Susan Connors, Planning and Community Development Director
Mr. Ken Komiske, Director of Utilities
Mr. Steve Lewis, City Manager
Mr. Shawn O'Leary, Director of Public Works
Ms. Debbie Smith, Environmental Services Coordinator
Mr. Scott Sturtz, City Engineer
Ms. Kathryn Walker, Assistant City Attorney
Ms. Karla Chapman, Administrative Technician

OTHER GUESTS PRESENT: Mr. Mark Campbell, Citizen
Ms. Jeanette Coker, Citizen
Mr. John High, Progressive Independence
Mr. Doug Myers, OU Parking and Transportation Administrator
Ms. Chris Nanny, Chair, CART Disability Advisory Committee
Ms. Amanda Nairn, Chair, ECAB
Ms. Janice Oak, Progressive Independence
Mr. Walt Strong, Max Westheimer Airport

UPDATE ON THE STORM WATER MASTER PLAN WORK PLAN.

Mr. Shawn O'Leary, Director of Public Works, highlighted the Storm Water Master Plan (SWMP) timeline for the Committee stating the SWMP scoping was done from January to December 2006 and SWMP Development from January 2007 to November 2009. He said Council *accepted* the SWMP and *adopted* the SWMP Action Plan in November 2009 and a public meeting on a Stream Planning Corridor (SPC) Ordinance was held on January 27, 2010. A City Council SPC Sub-Committee met and discussed an ordinance from February 2010 to January 2011, and a SWMP Task Force met and discussed the ordinance from February 2011 to April 2011. Mr. O'Leary said Council adopted a SWMP and Water Quality Protection Zone (WQPZ), Ordinance on June 28, 2011.

Mr. O'Leary distributed a SWMP Action Plan that included 31 action items, with the number one priority being Stream Planning Corridor (SPC) regulations. He said the SWMP Action Plan included nine (9) categories of work as follows: water quality; financing; data management; capital improvements/easements/maintenance; general; hydrology/hydraulics; dams; criteria manuals; and Greenway Master Plan and each action item had a

timeline of six (6) months to 20 years. Mr. O'Leary said 11 of the original 31 action items have been completed with another 12 items currently under way. He said eight of the action items are pending Storm Water Utility funding.

Mr. O'Leary said it was Council's desire to merge storm water and transportation improvements projects in order to maximize federal dollars and said the grand total of the projects are approximately \$89,066,625, but with the leveraging of federal funds, the City's share of the projects will be approximately \$42,138,945. He highlighted the eight (8) projects including costs with and without federal funding and said the citizens of Norman will vote to approve or disapprove a General Obligation (GO) Bond on August 28, 2012, to provide funding for the projects. The combined storm water and transportation projects include:

Storm Drainage and Street Widening Projects

- West Main Street Bridge
- Lindsey Street: 24th Avenue S.W. to Berry Road
- Franklin Road Bridge

Street Widening Projects

- Cedar Lane: 12th Avenue S.E. to ½ mile 24th Avenue
- 12th Avenue S.E.: Cedar Lane to Highway 9
- 24th Avenue S.E.: Lindsey Street to Robinson Street
- 36th Avenue N.W.: Tecumseh Road to Indian Hills Road
- East Alameda Street Project

Mr. O'Leary said the WQPZ Ordinance applies only to new preliminary plats and certificates of survey located in the Lake Thunderbird watershed and six (6) WQPZs have been approved, with one (1) application pending, since the ordinance was adopted on June 28, 2011. He said the ordinance requires the dedication of a permanent easement along streams and rivers to serve as buffers for storm water pollution control and allows variances to the buffer width including engineered alternatives. The WQPZ width is the greater of the following:

- 100 feet in width, measured from the top of the bank on each side of the stream; or
- Designated Stream Planning Corridor (SPC); or
- Designated FEMA Floodplain;
- Alternative width of 25 feet upon showing of water quality targets being met and provisions for flooding based on 1% flood in full build-out conditions.

Mr. O'Leary said the pending application is for Milligan Industrial Tract, a revised Preliminary Plat, (Rock Creek Road and Burlington Northern Santa Fe railroad tracks) and will be an item on the July 10, 2012, agenda for Council consideration. He said the applicant wanted full exemption from the ordinance, as well as full exemption from roadway widening and the Planning Commission denied the application at their June 14, 2012, meeting.

Councilmember Kovach asked for an update on Item #22, (CIP/Easements/Maintenance in Imhoff Creek) of the SWMP Action Plan and felt a lot of core Norman residents would voluntarily grant easements that were along Imhoff Creek. Mr. O'Leary said Staff is working on a standard easement document form and continues to finish inventory, along with determining the pros and cons of obtaining an easement or right of way (ROW). Mayor Rosenthal felt the issue is not necessarily the cost of the easement, but rather the ability to work in the utility easement once it is obtained. She said ROW entry is very time specific and gaining entrance onto the channel with large equipment, which typically includes private property, is a big concern.

Chairman Dillingham said because of current Lake Thunderbird water quality issues, Council requested the Environmental Control Advisory Board (ECAB) to outline fertilizer guidelines to educate the public about fertilizer use. Ms. Amanda Nairn, ECAB Chair, said ECAB created a City of Norman Lawn Fertilizer Survey which will help to properly assess the community's use of fertilizer. She said the surveys were recently distributed at the Earth Day Festival and Farmer's Market, and will be placed on the City's website, under the Green Norman section in the near future. Local businesses have also agreed to place the surveys in their establishments. Ms. Nairn said ECAB is working and meeting with neighborhood associations to discuss fertilizer use, as well as the benefits of soil testing. She said the fact is, most soil in Norman needs very little or no Phosphorus to grow a healthy lawn and excess Phosphorus, a common chemical in some lawn fertilizers, can

be carried by storm water runoff into the Canadian River and Lake Thunderbird (via storm sewers) where it can cause algae blooms, taste and odor problems, and other water quality issues.

Ms. Nairn said ECAB and Staff continue looking at methods to educate and encourage the community to protect and keep Norman's local water sources clean. She said it is important to practice responsible lawn care by means of soil testing, applying only the right nutrient(s), and if needed, applying nutrient(s) at the right time and in the right amount. Past and present ECAB and Staff efforts are as follows:

- Educating citizens about not over-watering lawns and gardens
- Fertilizer Use and Soil Testing
- Conservation Tips recently placed in *The Norman Transcript*
- Water's Worth It Month proclamation for Council consideration on July 10, 2012
- Several Water Barrel Work Shops hosted at Forest Lumber – working to schedule future work shops
- Working with City Staff to construct a rain garden at City Hall

Mr. Shawn O'Leary, Director of Public Works, said public education and voluntary programs are very important, but can be slow and Staff will continue working with local developers and contractors about erosion control. Chairman Dillingham suggested using Norman Schools as a tool for public education. Ms. Nairn said ECAB has been considering a "yard of the month" and/or "xero-scape garden of the month" contest and Councilmember Kovach suggested hosting xero-scape or native garden tours, comparable to water garden tours that have been held in the past. Mayor Rosenthal suggested ECAB and/or Staff contact the University of Oklahoma (OU) about producing a public education piece regarding "fertilizer use" that can be played on Channel 20.

Mayor Rosenthal thanked ECAB and Staff for all their hard work and requested ECAB bring any model programs regarding fertilizer use to Council's attention. Ms. Nairn said currently there are not any cities in Oklahoma that have fertilizer ordinances, but Norman is unique in that the City relies on storm water as a drinking supply, i.e., Lake Thunderbird is Norman's water supply. Councilmember Kovach said the City should be prepared for the possibility of a fertilizer ordinance in November due to the fact the City will be receiving the Total Maximum Daily Load (TMDL) Report regarding Lake Thunderbird. He said the TMDL Report will not have specific requirements or recommendations but rather numerical limits on the amount of pollutants allowed in the reservoir and it will be up to the City to determine how to get to the required numerical limits.

Mr. Steve Lewis, City Manager, said if Council desires to discuss a fertilizer ordinance in the future, Staff has gathered a lot of research and can bring it back to Council for consideration. Councilmember Kovach felt if the City decided to adopt a fertilizer ordinance it should be done in the wintertime when fertilizer sales are lower so as to not affect/hurt businesses who typically sell fertilizer. Chairman Dillingham suggested scheduling this topic as an agenda item in September 2012.

Items submitted for the record

1. Water Quality Protection Zone (WQPZ) Approvals since June 28, 2011, from the Public Works Department
2. Storm Water Master Plan (SWMP) Action Plan (by milestone), dated June 21, 2012
3. PowerPoint Presentation entitled "Storm Water Master Plan – Possible Storm Water Utility and General Obligation Bond Elections", dated June 27, 2012
4. Norman Public Relations Materials: "Don't Blow It" brochure, source by Storm Water Quality Division; "How Low Can You Go" Soil Testing information, City of Norman Employee Newsletter dated February 17, 2012; "To Much of a Good Thing Can be Bad" flyer on fertilizer, source City of Norman Storm Water Quality Division; "Don't Blow It" information placed on Channel 20, source City of Norman Storm Water Quality; Green Norman information/tips regarding Lawn Care and Gardening, source City of Norman website, Green Norman Section, dated March 19, 20, 26, & 27, 2010; Green Norman ad in the *The Norman Transcript* dated March 19, 2010; "How Green is Your Lawn", source City of Norman website, Green Norman Section; "How Green is Your Lawn" brochure City of Norman Storm Water Quality Division and Cleveland County Conservation District; and ECAB City of Norman Lawn Fertilizer Survey

CART RIDERSHIP REPORT INCLUDING SAFERIDE AND EXTENDED SERVICE.

Chairman Dillingham said she was pleased to announce Norman Regional Hospital Authority (NRHA) voted on May 29, 2012, to donate \$50,000 to CART funding and Mr. Doug Myers, OU Parking and Transportation Administrator, said the NRHA funding will be put to good use and is greatly appreciated. Mr. Myers said "Dump the Pump Day," was held on June 21, 2012, and there was a very good turn out. He informed the Committee that tomorrow, Thursday, June 28, 2012, was an ozone alert day and citizens could ride the CART bus for free.

Items submitted for the record

1. Cleveland Area Rapid Transit Ridership Totals for the Month of May 2012

MISCELLANEOUS DISCUSSION.

None.

The meeting adjourned at 6:30 p.m.

City Clerk

Mayor